

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hans Josef Stauss and Liqian Gao

Serial No.: 09/625,963

Art Unit: 1644

Filed: July 26, 2000

Examiner: Francois P. Vandervegt

For: *IMMUNOTHERAPEUTIC METHODS USING EPITOPES OF WT-1 AND
GATA-1*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including two (2) pages of Form PTO-1449 and a copy of one (1) document cited therein. The references cited in the present Supplemental Information Disclosure Statement were cited in the original specification as filed and were inadvertently omitted from previously submitted Information Disclosure Statements. In particular, U.S. Patent No. 5,726,288 was cited in the original specification as filed at page 3, line 5. Gessler, et al., *Nature*, 343(6260):774-8 (1990) was cited in the original specification as filed at page 8, line 10. Zon, et al., *Proc. Natl. Acad. Sci. U.S.A.*, 87(2):668-72 (1990) was cited in the original specification as filed at page 8, lines 11-12. Applicants respectfully request that the Examiner consider the references cited in this Information Disclosure Statement.

Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, a copy of the cited U.S. Patent is not enclosed. A copy will be provided upon request, however.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) after a Notice of Appeal. The Commissioner is hereby authorized to charge a fee of \$180.00 to Deposit Account No. 50-3129, representing the fee required under 37 C.F.R. § 1.17(p). It is believed that no additional fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
5,726,288	03-10-1998	Call, et al.	530/350

Publications

CONDON, et al., "DNA-based immunization by in vivo transfection of dendritic cells", *Nat. Med.*, 2(10):1122-8 (1996).

CONRY, et al., "Polynucleotide-mediated immunization therapy of cancer", *Semin. Oncol.*, 23(1):135-47 (1996).

GESSLER, et al., "Homozygous deletion in Wilms tumours of a zinc-finger gene identified by chromosome jumping", *Nature*, 343(6260):774-8 (1990).

GONG, et al., "Induction of antitumor activity by immunization with fusions of dendritic and carcinoma cells", *Nat. Med.*, 3(5):558-61 (1997).

GRAHAM, et al. "Intramuscular immunisation with MUC1 cDNA can protect C57 mice challenged with MUC1-expressing syngeneic mouse tumour cells", *Int. J. Cancer*, 65(5):664-70 (1996).

INOUE, et al., "Long-term follow-up of minimal residual disease in leukemia patients by monitoring WT1 (Wilms tumor gene) expression levels", *Blood*, 88(6):2267-78 (1996).

KAST, et al., "Eradication of adenovirus E1-induced tumors by E1A-specific cytotoxic T lymphocytes", *Cell*, 59(4):603-14 (1989).

KAWAKAMI, et al., "Identification of a human melanoma antigen recognized by tumor-infiltrating lymphocytes associated with in vivo tumor rejection", *Proc. Natl. Acad. Sci. U.S.A.*, 91(14):6458-62 (1994).

MENSSEN, et al., "Presence of Wilms' tumor gene (wt1) transcripts and the WT1 nuclear protein in the majority of human acute leukemias", *Leukemia*, 9(6):1060-7 (1995).

MENSSEN, et al., "Detection by monoclonal antibodies of the Wilms' tumor (WT1) nuclear protein in patients with acute leukemia", *Int. J. Cancer*, 70(5):518-23 (1997).

MURPHY, et al., "Phase I clinical trial: T-cell therapy for prostate cancer using autologous dendritic cells pulsed with HLA-A0201-specific peptides from prostate-specific membrane antigen", *Prostate*, 29(6):371-80 (1996).

OGAWA, et al., "Successful donor leukocyte transfusion at molecular relapse for a patient with acute myeloid leukemia who was treated with allogenic bone marrow transplantation: importance of the monitoring of minimal residual disease by WT1 assay", *Bone Marrow Transplant*, 21(5):525-7 (1998).

SHIMAMOTO, et al., "The expression pattern of erythrocyte/megakaryocyte-related transcription factors GATA-1 and the stem cell leukemia gene correlates with hematopoietic differentiation and is associated with outcome of acute myeloid leukemia", *Blood*, 86(8):3173-80 (1995).

SILBERSTEIN, et al., "Altered expression of the WT1 wilms tumor suppressor gene in human breast cancer", *Proc. Natl. Acad. Sci. U.S.A.*, 94(15):8132-7 (1997).

TJOA, et al., "Follow-up evaluation of prostate cancer patients infused with autologous dendritic cells pulsed with PSMA peptides", *Prostate*, 32(4):272-8 (1997).

TOURDOT, et al., "Chimeric peptides: a new approach to enhancing the immunogenicity of peptides with low MHC class I affinity: application in antiviral vaccination", *J. Immunol.*, 159(5):2391-8 (1997).

VIEL, et al., "Molecular mechanisms possibly affecting WT1 function in human ovarian tumors", *Int. J. Cancer*, 57(4):515-21 (1994).

U.S.S.N.: 09/625,963
Filed: July 26, 2000
SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

ZHAI, et al., "Antigen-specific tumor vaccines. Development and characterization of recombinant adenoviruses encoding MART1 or gp100 for cancer therapy", *J. Immunol.*, 156(2):700-10 (1996).

ZON, et al. "The major human erythroid DNA-binding protein (GF-1): primary sequence and localization of the gene to the X chromosome", *Proc. Natl. Acad. Sci. U.S.A.*, 87(2):668-72 (1990).

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/Charles Vorndran/
Charles Vorndran
Reg. No. 45,315

Dated: October 31, 2006

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2153 (Telephone)
(404) 879-2160 (Fax)